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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/523,267	03/10/2000	Joseph Allen	1858-002	5991
9629	7590	01/15/2004	EXAMINER	
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			BUI, BING Q	
			ART UNIT	PAPER NUMBER
			2642	10
DATE MAILED: 01/15/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/523,267	ALLEN ET AL.	
	Examiner Bing Q Bui	Art Unit 2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 29 October 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-27 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-27 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

1. Claims 1-27 are presented for examination.

Claim Objections

2. Claim 3 is objected to because of the following informalities: at the beginning of the recited claim, the numerical number [(3)] should be replaced with -- 3. -- . Appropriate correction is required.

Claim Rejections - 35 U.S.C. § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1 and 18 is rejected under 35 U.S.C. 112, second paragraph since its limitations fail to support the method and system for "minimizing interruption of communication" as set forth in its preambles.

5. Claims 21 and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. As to claim 21, in line 10, and claim 24, in line 12, how a visitor is enabled to determine whether or not to grant himself the right to access the occupant premises ?

Claim Rejections - 35 USC § 102

6. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Matthews (US Pat No. 3,484,561).

Regarding claim 1, Matthews teaches a apparatus for controlling any interruption of communications on a first communications link between a central office and a customer premises telephonic device (see figure 1 where the SS1 - SS3 are connected to CO) when local loop generation equipment is coupled to the first communications link (see figure 1 where the "COMMON SWITCHING EQUIPMENT" (e.g., local loop generation equipment) is coupled to the first communications link at LS12 and LS13 for example), the apparatus comprising:

(a) a second communications link between the local loop generation equipment and the central office (see figure 1 where the link (e.g., second communications link) that including "TCE-LS12 and RCE-LS13 is between the "COMMON SWITCHING EQUIPMENT" (e.g., local loop generation equipment) and the CO)

(b) a processing mechanism at the central office coupled to the second communications link and adapted to determine under what circumstances (e.g., busy on a central office call) the customer premises telephonic device will be notified over the first communications link in response to the activation of local loop generation equipment (see col. 6, Ins 18-66).

As to claims 2-3 and 18-20 , they are rejected for the same reasons set forth to rejecting claim 1.

Regarding claims 4-6, Matthews further teaches the processing mechanism further comprises a mechanism for providing the customer premises occupant with a door bell call waiting feature such that the central office will send call waiting tones over the first telephone line when a visitor activates the doorbell answering system and the

customer premises occupant is already engaged in a telephone call on the first telephone line (see col. 6, Ins 18-66).

Regarding claims 7-9, Matthews further teaches the second communications link is provided in the form of a telephone line which is equipped to place outgoing local calls, but not equipped to receive incoming calls, and not equipped to place long-distance calls (see col. 6, Ins 18-66).

Regarding claims 10-11, Matthews further teaches the local loop generation equipment is a doorbell answering system (see Fig 1 and col. 3, Ins 44-57).

Regarding claims 12-13, Matthews further teaches the central office utilizes advanced intelligent network (AIN) protocols adapted to permit a premises occupant to receive doorbell answering system telephone calls on the first communications link while already engaged in another telephone call on the first communications link (see col. 6, Ins 18-66).

Regarding claims 14-15, Matthews further teaches the AIN capabilities are adapted to provide a premises occupant with a cancel door bell call waiting feature such that the central office will not send call waiting tones on the first communications link when a visitor activates the doorbell answering system and a call is already in progress (see col. 6, Ins 18-66).

Regarding claims 16-17, Matthews further teaches the AIN capabilities are used to provide a premises occupant with a call waiting feature such that only calls from the doorbell answering system will cause call waiting tones to be sent on the first communications link (see col. 6, Ins 18-66).

Claim Rejections - 35 USC § 103

7. Claims 21, 24 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matthews (US Pat No. 3,484,561).

Regarding claim 21, Matthews teaches the invention substantially as claimed, with the exception of providing the feature of:

an automated voice enunciation mechanism providing an enunciated voice message to the visitor indicative of progress of the telephone call and corresponding to at least one of busy signal, dial tone, and an answered call;

when the telephone call is answered, providing a communications path between the visitor and the occupant premises so as to enable the visitor to determine whether or not to grant access to the visitor; and

activating an access control mechanism at the occupant premises if access is to be provided to the visitor.

However this feature would have been obvious since it has been so notorious and well-known in the art. For example, a scenario in which a second party may receive an announcement such as "the party you want to reach is busy on the line, however if this is an emergency call, please press "0" now" or the like when he tries to reach a desired called party while this called party is occupied on an ongoing communication.

As to claims 24 and 27 , they are rejected for the same reasons set forth to rejecting claim 21.

8. Claims 22-23 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matthews (US Pat No. 3,484,561) in view of Von Bauer et al (US Pat No. 5,428,388), herein after referred as Bauer.

Regarding claim 22-23 and 25-26, Matthews teaches the invention substantially as claimed, with the exception of providing the communications path is provided using a slow scan video link, wherein the slow scan video link is implemented using modems. However, Bauer teaches the communications path is provided using a slow scan video link, wherein the slow scan video link is implemented using modems (see col 1, Ins 6-12 and col 4, In 61-col 5, In 25). Therefore, it would have been obvious to integrate the Bauer's teachings into the system of Matthews in order to provide a most effective tool for recognizing a caller or visitor.

Response to Arguments

9. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.
10. Applicant's arguments regarding claims 21, 24 and 27 have been fully considered but they are not persuasive. For maintaining Examiner's position regarding the recited claims, the references listed below in the "Conclusion" section are provided as supporting documentary evidence at the Applicant's request.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art in general:

- U.S. Pat. No. 5,570,083 (previously cited in paper No. 8).
- U.S. Pat. No. 5,680,447
- U.S. Pat. No. 5,825,867
- U.S. Pat. No. 6,160,877

U.S. Pat. No. 6,415,026

U.S. Pat. No. 6,519,335

U.S. Pat. No. 6,603,848

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 and for formal communications intended for entry (please label the response "EXPEDITED PROCEDURE") or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Jan 10, 2004


BING BUI
PATENT EXAMINER